

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

CLAUDE WAYNE COLE, JR,)	
)	
Plaintiff,)	
)	
v.)	4: 05-cv-1314-RBP-TMP
)	
SHERIFF LARRY WILSON, et. al.,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on October 31, 2005, in this action filed pursuant to 42 U.S.C. § 1983. In said report, the magistrate judge maintained that all plaintiff's claims were due to be DISMISSED for failure to state a claim upon which relief may be granted¹, and that plaintiff's requests for injunctive relief were MOOT. The plaintiff filed objections to the report and recommendation on November 14, 2005. (Doc. 9).

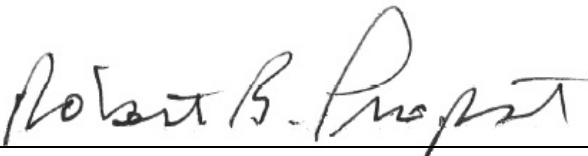
Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and ACCEPTED. Accordingly, plaintiff's claims are due to be DISMISSED WITH PREJUDICE

¹ In the "Recommendation and Notice of Right to Object" portion of the report and recommendation, the magistrate judge recommended all plaintiff's claims be dismissed with the exception of plaintiff's claims against defendant Bell. This is a scrivener's error since the report itself clearly recommends dismissal of all claims against all defendants pursuant to 28 U.S.C. § 1915A.

for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b).

An appropriate order will be entered.

DATED this _31st day of January, 2006.



ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE